

669-87

DAC/8
(S)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Broeders et al.

Examiner: Popovics, Robert J.
(anticipated)

Applicant No.: 09/732,299

Group Art Unit: 1724

Filed: December 8, 2000

Docket No.: 669-87

(CAN168/JT)

Confirmation No: 2667

Date: September 17, 2002

FOR: WASTEWATER SEPARATOR AND
METHOD OF USING SAME

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SEP 25 2002
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I hereby certify this correspondence is being
Deposited with United States Postal Service as first class
mail, postpaid in an envelope, addressed to:
Commissioner of Patents, Washington, D.C.

20231, on September 17, 2002

Signature  Barbara Kemmlein

Commissioner for Patents
Washington, D.C. 20231

**NOTIFICATION OF ERROR IN PAYMENT OF FEES
AS A SMALL ENTITY PURSUANT TO 37 C.F.R. §1.28(c)**

Sir:

On December 7, 2000, a small entity assertion was erroneously filed in this application. That assertion was made by erroneously submitting the basic filing of a small entity. Please note that Applicants did submit at the time of filing, claim fees associated with a large entity. Applicants respectfully submit that the error in submitting the basic filing fee of a small entity was made in good faith and was not made with any attempt to deceive the Office.

It has now been discovered that this application incorrectly claims small entity status and that such status as a small entity was established in error. Pursuant to 37 C.F.R. §1.28(c)(1), please accept this statement to correct the erroneously claimed small entity status.

Submitted herewith is an itemized statement of the deficiencies owed pursuant to 37 C.F.R. §1.28(c)(2) and a check in the amount of \$695.00 representing the deficiency payment.

Please charge any deficiency or credit any overpayment to Deposit Account No. 08-2461.

Adjustment date: 09/25/2002 AWONDAF1
02/21/2001 SSANDARA 00000007 09732299
01 FC:201 -355.00 OP
Adjustment date: 09/25/2002 AWONDAF1
03/29/2001 HNDOR1 00000001 09732299
01 FC:202 -200.00 OP
02 FC:203 -90.00 OP

09/25/2002 AWONDAF1 00000101 09732299

01 FC:101 740.00 OP
02 FC:102 420.00 OP
03 FC:103 180.00 OP

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Filed concurrently herewith is an Associate Power of Attorney executed by the Principal Attorney of Record.

ITEMIZATION OF THE DEFICIENCY PAYMENT

Fees Erroneously Paid As A Small Entity	Fee Actually Paid As A Small Entity	Deficiency Owed
A. Filing Fee paid on December 7, 2000	\$355.00	\$385.00 ✓
B. Fee for excess of total 10 claims (over 20) paid on December 7, 2000 less refund by Office on April 4, 2001.	\$ 90.00	\$ 90.00 ✓
C. Fee for excess independent claims (over 3) paid on December 7, 2000 less refund by Office on April 4, 2001.	\$200.00	\$220.00 ✓
D. Fee for multiple dependent claims paid on December 7, 2000 less refund by Office on April 4, 2001	00.00	00.00
Total	\$645.00	\$695.00

On December 7, 2001, Applicants submitted the following fees:

1. \$ 252.00 fee for total claims (over 20) which was reported as thirty-four (34) claims.
2. \$ 400.00 fee for independent claims (over 3) which was reported as eight (8) claims.
3. \$ 270.00 fee for multiple dependent claims.
4. \$ 355.00 basic utility fee (small entity).
5. \$ 40.00 assignment recordation fee.
- \$1,317.00 Total Fee Paid

A copy of the return post card and a copy of the transmittal letter evidencing payment of these fees are attached.

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Page 3

On April 4, 2001, the Office refunded Applicants a total of \$632.00 by check, a copy of which is enclosed. The refund is believed to represent the following:

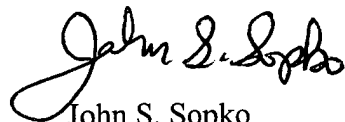
- | | | |
|----|-----------------|---|
| 1. | \$270.00 | refund for multiple dependent claims which apparently were not accepted as multiple dependent claims by the Office. |
| 2. | \$200.00 | refund for the total (8) independent claims at small entity rate. |
| 3. | <u>\$162.00</u> | refund for total (30) claims at small entity rate. |
| | \$632.00 | Total Refund. |

Thus, the application contained a total of thirty (30) claims, eight (8) independent claims and zero (0) multiple dependent claims after initial processing by the Office. A copy of the filing receipt evidencing these claim totals is enclosed herewith.

Thus, the above-identified deficiency payment represents the payment for a large entity of (1) the basic utility filing fee, (2) claim fee for the total of thirty (30) claims; and (3) claim fee for the total of eight (8) independent claims.

If the Examiner has any questions concerning this submission, he is encouraged to contact the undersigned attorney.

Respectfully submitted,



John S. Sopko
Attorney for Applicant
Reg. No. 41,321

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M5H 1T1

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December 7, 2000

Our File No.: CAN168/JTN

The Commissioner of Patents & Trademarks
Washington, D.C., U.S.A. 20231

Dear Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): **Nicholas Broeders; James Mantyla; Scott Baldwin; and
Dan Merrington**

For: **WASTEWATER SEPARATOR AND METHOD OF USING SAME**

The following papers are also enclosed:

3 sheets of Informal drawings in triplicate

X An assignment of the invention to **CANPLAS INDUSTRIES LTD.**

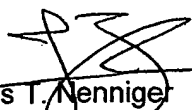
Please accord this application "small entity" status.

	CLAIMS AS FILED				
	Number Filed	Number Extra	Full Rate	Small Entity Rate	TOTAL
Total Claims	34	- 20 = 14 X	\$18.00	\$9.00	= \$252.00
Independent Claims	8	- 3 = 5 X	\$80.00	\$40.00	= \$400.00
Multiple Dependency	2	Flat Rate	\$270.00	\$135.00	= \$270.00

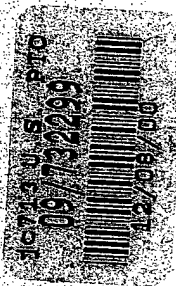
Base Fee = \$355.00
Assignment Record Fee = \$40.00
TOTAL FEES = \$1,317.00

X Please find enclosed cheque no. 0711 in the amount of **\$1,317.00**.
Duplicate copies of this sheet are enclosed.

Respectfully submitted,
PIASETZKI & NENNIGER


James T. Nenniger
Registration No. 32,670

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The Patent Office hereby acknowledges receipt of the following document(s):

New Patent Application, Declaration, Assignment, cheque \$1,317.⁰⁰ (U.S.) Dated Dec. 7, 2000

Due Date: Feb. 23, 2001

Serial No: _____

Filing Date: _____

Applicant: Canplas Industries Ltd.

Agent Ref: CAN168/JDV

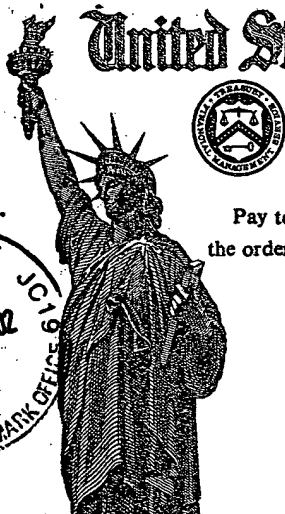
Please Apply

Official Receipt

Date Stamp

Here

DE24M



United States Treasury 15-51
000

G 012,920,128

Check No.

04 04 01 5 PHILADELPHIA, PA

2049 58490773

13100001

M2 TO

20010118 R ND

Pay to
the order of

PIASETZKI AND NENNIGER
120 ADELAIDE STREET WEST
SUITE 2308
TORONTO, M5H 1T1 CN 00000

\$****632*00

VOID AFTER ONE YEAR

PER ENCLOSED MAILING NOTICE

165
Michael Coleman
REGIONAL DISBURSING OFFICER

⑈ 20493 ⑈ ⑆000000518⑆ 584907730⑈ 010401

NOTICE TO CHECK RECIPIENT

TREASURY-FINANCIAL MANAGEMENT SERVICE TFS FORM 3090(Rev.)

VENDOR NAME: PIASETZKI AND NENNIGER

VENDOR I.D.
NUMBER: REFUND

AGENCY NAME
AND BILLING
ADDRESS: PATENT & TRADEMARK OFFICE
2011 CRYSTAL DRIVE
CRYSTAL PARK 1, SUITE 802
ARLINGTON VA 22202

U.S. TREASURY REG.
FINANCIAL CENTER: PHILADELPHIA, PA

CHECK NUMBER
2049-58490773

CHECK AMOUNT
\$****632.00

CHECK DATE
04-04-01

MAILROOM DATE: 12/08/2000
SERIAL NUMBER: 09732299
AMOUNT REFUNDED: 632.00
OVERPAYMENT FOR A SERVICE
CUSTOMER SEND \$632.00 EXTRA FOR CLAIMS
FOR QUESTIONS RELATING TO REFUND, CONTACT
CYNTHIA STREATER - 703-3065430
03/29/2001

AGENCY SCHEDULE NUMBER
M120010118

AGENCY TELEPHONE NUMBER
703-305-8083

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APR 10 2001

PLEASE DIRECT ANY INQUIRIES CONCERNING THIS PAYMENT TO THE AGENCY AT THE ADDRESS (OR PHONE NUMBER) INDICATED ABOVE

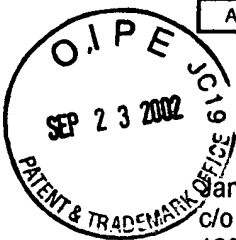
File - CAN168



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/732,299	12/08/2000	1723	645	CAN168/JTN	3	30	8



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CANADA

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APR 17 2001

CONFIRMATION NO. 2667

FILING RECEIPT



OC000000005937392

Date Mailed: 04/05/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Nicholas Broeders, Stroud, CANADA;
James Mantyla, Barrie, CANADA;
Scott Baldwin, Barrie, CANADA;
Dan Merrington, Barrie, CANADA;

Assignment For Published Patent Application

CANPLAS INDUSTRIES LTD.;

Domestic Priority data as claimed by applicant

Foreign Applications

CANADA 2,299,134 02/23/2000

If Required, Foreign Filing License Granted 03/05/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

Title

Preliminary Class

210

Team : OIPE

Date: 04/05/2001

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